

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.42868 of 2008

1. MD.ABBAS
2. MD. WADUD @ ABDUL WADUD
BOTH SON OF LATE SHEKH QASIM, R/O VILL-
KHAIRAGARHIA, P.S. NARPATGANJ, DISTRICT- ARARIA

Versus
STATE OF BIHAR

2 26/11/2008 Heard learned counsel for the petitioners, learned counsel representing the State and learned counsel appearing on behalf of the informant.

The petitioners are full brothers and were accused of a case which has been registered under sections 365/34 of the Indian Penal Code. Allegation is that the informant's husband Kaushar was kidnapped by the petitioners and others on 19.6.2008.

Submission is that this case has been lodged on 19.6.2008 and prior to the present case a case under section 498 A of the Indian Penal Code has been lodged on 16.5.2008 by Ishrat Khatoon wife of Tauhir in which the true version of the occurrence has been narrated that the case was compromised and later on the matter was disposed of. Further submission is that the victim was never kidnapped rather he gone at his own and his statement under section 164 Cr.P.C. does not inspire confidence.

Learned counsel opposing the prayer for bail submitted that the victim was released after 19 days of the occurrence and witnesses examined under section 161 Cr.P.C. have supported the prosecution story.

Considering the facts and circumstances of the case, the

petitioners Md. Abbas and Md. Wadud @ Abdul Wadud are directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Araria in connection with Narpathganj P.S. Case No. 151 of 2008.

avin

(Shyam Kishore Sharma, J.)

